

**STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION**

|   |   |                           |
|---|---|---------------------------|
| <b>AMEREN TRANSMISSION COMPANY OF ILLINOIS</b>              | ) |                           |
|   | ) |                           |
| <b>Petition for a Certificate of Public Convenience</b>     | ) |                           |
| <b>and Necessity, pursuant to Section 8-406.1 of the</b>    | ) |                           |
| <b>Illinois Public Utilities Act, and an Order pursuant</b> | ) | <b>Docket No. 12-0598</b> |
| <b>to Section 8-503 of the Public Utilities Act, to</b>     | ) | <b>(on Rehearing)</b>     |
| <b>Construct, Operate and Maintain a New High Voltage</b>   | ) |                           |
| <b>Electric Service Line and Related Facilities in the</b>  | ) |                           |
| <b>Counties of Adams, Brown, Cass, Champaign,</b>           | ) |                           |
| <b>Christian, Clark, Coles, Edgar, Fulton, Macon,</b>       | ) |                           |
| <b>Montgomery, Morgan, Moultrie, Pike, Sangamon,</b>        | ) |                           |
| <b>Schuyler, Scott and Shelby, Illinois.</b>                | ) |                           |

**BRIEF ON EXCEPTIONS, AND EXCEPTIONS, OF ERIC AND JULIA SPRAGUE**

**I. BRIEF ON EXCEPTIONS**

Eric and Julia Sprague (the “Spragues”), by their attorneys, Shay Kepple Phillips, Ltd., submit their Brief on Exceptions (“Sprague BOE”) to the Proposed Second Order on Rehearing (“P2ORH”), pursuant to the Notice from the Chief Clerk dated January 17, 2014, and §200.830 of the Rules of Practice of the Illinois Commerce Commission (“Commission”). 83 IL Adm. Code 200.830.

The Spragues support the conclusion in the P2ORH finding that the Assumption/Corzine Route along Highway 51 to be the most suitable route for the Pana-Mt. Zion segment of the transmission line. P2ORH, p. 48. However, the Spragues propose that the P2ORH select one of the alternatives for the portion of the so-called Blended Route<sup>1</sup> that is in the area of what Mr. Sprague in his testimony characterized

---

<sup>1</sup> From the P2ORH: ATXI’s “Primary Route from Pana to Mt. Zion can be modified as follows: the transmission line would follow ATXI’s Primary Route from the Pana substation until it meets Staff’s proposed Kincaid route just north of the Christian/Macon County line; from that point, the transmission line would follow Staff’s proposed Kincaid route until it meets Staff’s Option #2 site. For purposes of this discussion of the Pana-Mt. Zion segment, this route is referred to as the **Blended Route**.” P2ORH, p. 42.

as the “hitch” and what the P2ORH references as the “diversion to the west” or “westerly diversion.” See P2ORH, p. 45. In the event it is determined upon further review and consideration that the Assumption/Corzine Route is not the most suitable, and that instead the Blended Route is ordered, the westerly diversion would be implicated. As a result, one of the routing alternatives in the area of the westerly diversion should be specified, and the Spragues propose that the specified alternative be Sprague Alternative 3.

Sprague Alternative 3, as shown on Sprague Exhibit 1.4, was one of the alternative routes for the portion of the line within the area of the westerly diversion. As Mr. Sprague explained in his testimony, the point at which the route of the line turns to the west, away from the route of the existing 138 kV line, is at 1900 North Road. The line would run along the south side of the road on open land. Sprague Ex. 1.0, p. 11, ll. 220-224.

The line would turn to the north just short of ½ the distance to 9<sup>th</sup> Road (a north-south road), and cross the western edge of farm ground of Harold and Patricia Adams, just east of and adjacent to a line of trees, avoiding either of the homes to the east and west. Just before the line reaches a forested area, it would turn back east and run along the northern border of the Adams’ farm ground, until it reaches the 138 kV line and rejoins the route of that line. Sprague Ex. 1.0, p. 11, ll. 207-217; Sprague Ex. 1.4. (The portion described in this paragraph is the same for Sprague Alternatives 2 and 3).

Based on the evidence in the record, the Sprague’s support Alternative 3 and propose that the P2ORH select this alternative in the event the Blended Route for the

Pana-Mt. Zion segment is ordered. It is also noteworthy that the Staff supported Alternative 3. See Staff Initial Brief, p. 19.

The Spragues propose the following specific exceptions to the Proposed Second Order on Rehearing, inserted into the affected portions of the P2ORH as referenced below.

## **II. EXCEPTIONS TO THE PROPOSED SECOND ORDER ON REHEARING**

1. Insert at page 46, immediately before the sentence in the P2ORH that states, "In their Initial Brief on Rehearing, the Spragues include several tables that essentially reiterate the arguments made above.", the following:


Sprague Alternative 3, as shown on Sprague Exhibit 1.4(RH), was one of the alternative routes for the portion of the line within the area of the westerly diversion. As the Spragues proposed (Sprague Reply Brief) and the Staff supported (Staff Initial Brief at 19), Alternative 3 is preferred over the other alternatives. As Mr. Sprague explained in his testimony, the point at which the route of the line turns to the west, away from the route of the existing 138 kV line, is at 1900 North Road. The line would run along the south side of the road on open land. Sprague Ex. 1.0(RH), 11:220-224. The line would turn to the north just short of ½ the distance to 9<sup>th</sup> Road (a north-south road), and cross the western edge of farm ground of Harold and Patricia Adams, just east of and adjacent to a line of trees, avoiding either of the homes to the east and west. Just before the line reaches a forested area, it would turn back east and run along the northern border of the Adams' farm ground, until it reaches the 138 kV line and rejoins the route of that line. Sprague Ex. 1.0(RH), 11:207-217; Sprague Ex. 1.4(RH).

2. Insert at page 48, immediately before the sentence in the P2ORH that states, "Having the considered the advantages and disadvantages of each route, the Commission finds the Assumption/Corzine Route along Highway 51 the most suitable route.", the following:

With respect to the Blended Route, the Commission believes that in the area where the line diverts to the west off of the 138 kV line route, the alternative referenced as Sprague Alternative 3, which was adequately described and supported in the record, is superior to ATXI's proposed westerly diversion as well as the other alternatives described in the proceeding on rehearing.

Dated: January 29, 2014

Respectfully submitted,

By:   
William M. Shay  
One of the Attorneys for Eric  
and Julia Sprague

William M. Shay  
Shay Kepple Phillips, Ltd.  
456 Fulton Street, Suite 255  
Peoria, IL 61602  
wshay@skplawyers.com

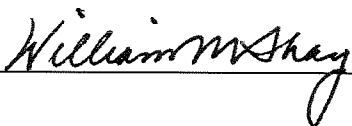
Jonathan L.A. Phillips  
Shay Kepple Phillips, Ltd.  
456 Fulton Street, Suite 255  
Peoria, IL 61602  
jphillips@skplawyers.com

**STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION**

|   |   |                           |
|---|---|---------------------------|
| <b>AMEREN TRANSMISSION COMPANY OF ILLINOIS</b>              | ) |                           |
|   | ) |                           |
| <b>Petition for a Certificate of Public Convenience</b>     | ) |                           |
| <b>and Necessity, pursuant to Section 8-406.1 of the</b>    | ) |                           |
| <b>Illinois Public Utilities Act, and an Order pursuant</b> | ) | <b>Docket No. 12-0598</b> |
| <b>to Section 8-503 of the Public Utilities Act, to</b>     | ) | <b>(on Rehearing)</b>     |
| <b>Construct, Operate and Maintain a New High Voltage</b>   | ) |                           |
| <b>Electric Service Line and Related Facilities in the</b>  | ) |                           |
| <b>Counties of Adams, Brown, Cass, Champaign,</b>           | ) |                           |
| <b>Christian, Clark, Coles, Edgar, Fulton, Macon,</b>       | ) |                           |
| <b>Montgomery, Morgan, Moultrie, Pike, Sangamon,</b>        | ) |                           |
| <b>Schuyler, Scott and Shelby, Illinois.</b>                | ) |                           |

**CERTIFICATE OF SERVICE**

I, William M. Shay, hereby certify that I caused the Brief on Exceptions, and Exceptions, of Eric and Julia Sprague to be served upon all parties on the Official Service List by electronic mail on January 29, 2014.

  
\_\_\_\_\_

William M. Shay  
Jonathan LA Phillips  
Shay Kepple Phillips, Ltd.  
456 Fulton St., Ste. 255  
Peoria, IL 61602  
(309) 494-6155  
wshay@skplawyers.com  
jphillips@skplawyers.com